

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LINDSAY MCLAUGHLIN,
an individual,

Case No. 2:19-cv-10271

HON: _____

Plaintiff,
v.

State Court Case No. 2018-170654-CD
State Court HON: Cheryl A. Matthews

CITY OF AUBURN HILLS,
a municipal corporation,

Defendant.

ERIC I. FRANKIE (P47232)
Attorney for Plaintiff
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NOTICE OF REMOVAL

NOW COMES Defendant CITY OF AUBURN HILLS, a Michigan municipal corporation, by and through its undersigned counsel LANDRY, MAZZEO & DEMBINSKI, P.C., pursuant to 28 USC § 1441 files this Notice of Removal of the above-captioned matter to the United States District for the Eastern District of Michigan, Southern Division, and in support of its Notice of Removal states:

LAW OFFICES
LANDRY, MAZZEO &
DEMBINSKI, P.C.

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1. On or about January 7, 2019 the Plaintiff LINDSAY MCLAUGHLIN filed Civil Action No. 2018-170654-CD in the Circuit Court for the County of Oakland, State of Michigan. (See attached Exhibit A, Summons and Complaint, note that the Complaint erroneously states that it was filed in County of Wayne).

2. The underlying Summons and Complaint alleges causes of action against the Defendant under Title VII of the Civil Rights Act of 1964 as amended, 42 USC 2000e et seq. as well as a cause of action under the Americans with Disability Act of 1990, 42 USC 12101 et seq.

3. This Honorable Court has original jurisdiction over the aforementioned lawsuit and the counts under Title VII of the Civil Rights Act of 1964 and the Americans with Disability Act, pursuant to 28 USC § 1331.

4. This Honorable Court would have supplemental jurisdiction of the causes of action pled under Michigan State law pursuant to 28 USC § 1367 as the cause of actions pled include claims under the Michigan Civil Rights Act and claims under the Michigan Persons with Disability Civil Rights Act.

5. This Notice of Removal has been filed within thirty (30) days of service of the attached Summons and Complaint on the Defendant as is evidenced by the Acknowledgment of Service of Process dated January 7, 2019.

[SIGNATURE ON THE NEXT PAGE]

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Respectfully submitted,

LANDRY, MAZZEO & DEMBINSKI, P.C.

By: /s/ David B. Landry
David B. Landry (P32055)
Attorney for Defendant
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DATED: January 25, 2019

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2014, I electronically filed the NOTICE OF REMOVAL, and this CERTIFICATE OF SERVICE with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

Eric I. Frankie, Esq.
ericfrankie26@yahoo.com

/s/ Kimberly L. Malone
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